

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.)
)
PHILLIP HYDE,) Criminal Docket No.
Defendant,) 04-10074-JLT
)
BICKNELL & SMITH,)
Garnishee.)
)

**UNITED STATES' RESPONSE TO THE AMENDED JOINT MOTION FOR
INSTRUCTIONS ON THE WRIT OF GARNISHMENT**

For the reasons previously set forth by the United States in its original "Opposition to the Defendant and Garnishee's Joint Motion for Instructions on Writ of Garnishment" (Docket Entry 37) and the reasons provided by the Public School Teachers' Pension and Retirement Fund of Chicago in its reply (Docket Entry 49) to the defendant and the garnishee's amended motion which the United States hereby adopts by reference, the United States respectfully requests that this Court order that \$11,191 of the \$15,000 being held in escrow by the garnishee be turned over to the Clerk of the Court and be distributed to the victim of the defendant's criminal activities pursuant to this Court's order of criminal restitution.

The United States understands that this Court issued an order granting the defendant and garnishee's motion on May 1, 2006. Because the defendant and garnishee's motion was filed on April 27, 2006, the United States did not have adequate time to

submit a reply to the defendant and garnishee's motion prior to the Court's order. In order to clarify the record, the United States respectfully submits its opposition to the defendant and garnishee's motion.

Respectfully submitted,

UNITED STATES OF AMERICA
By its attorney,

MICHAEL J. SULLIVAN
United States Attorney

Dated: May 2, 2006

/S/ Christopher R. Donato
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CERTIFICATE OF SERVICE

I hereby certify that on this date, this document was filed through the ECF system and sent electronically to any registered participants and/or a paper copy was sent by mail to those indicated as non-registered participants.

Dated: May 2, 2006

/S/ Christopher R. Donato
Christopher R. Donato
Assistant U.S. Attorney